

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Case No. **17-28430**

Judge _____

Green, Alicia

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date: **October 10, 2018**

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: **DES**

Initial Debtor: **AG**

Initial Co-Debtor:

Part 1: Payment and Length of Plan

- a. The debtor shall pay tier payments of \$**800.00** per month for 4 months; \$**847.00** per month for 56 months; to the Chapter 13 Trustee, starting on 10/01/2017.
- b. The debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
 Description:
 Proposed date for completion: _____
☐ Refinance of real property
 Description:
 Proposed date for completion: _____
☐ Loan modification with respect to mortgage encumbering property
 Description:
 Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ **None** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Straffi & Straffi	Administrative Expense	3,400.00
Standing Chapter 13 Trustee	507(a)(1)	To be Determined

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
None			

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [] NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Central Loan Admin & R	248 2nd Ave, Toms River, NJ 08757-4825	47,568.81	0.00%	47,568.81	987.60

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

c. Secured claims excluded from 11 U.S.C. 506: [X] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
None				

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim

shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Higher Education Student Assistance Auth

g. Secured Claims to Be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
None		

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$ _____ to be distributed *pro rata*

Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
None				

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
None						

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None					

Part 8: Other Plan Provisions**a. Vesting of Property of the Estate**

☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**

6) General Unsecured Claims

d. Post-petition claims The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: **10/10/2018**

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
Plan is being modified to remove the loan modification. Debtor will pay mortgage arrearages through the plan and start making her regular monthly mortgage payments going forward.	Plan was modified by removing the loan modification and reflects payment in full of outstanding arrearages to the mortgage company. Debtor will begin making her regular monthly mortgage payments going forward.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: **October 10, 2018**

/s/ Alicia Green

Debtor

Date: **October 10, 2018**

Joint Debtor

Date: **October 10, 2018**

/s/ Daniel E. Straffi, Jr.

Attorney for the Debtor(s)

Certificate of Notice Page 7 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Alicia R Green
 Debtor

Case No. 17-28430-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

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 Total Noticed: 33

Date Rcvd: Oct 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2018.

db +Alicia R Green, 248 2nd Ave, Toms River, NJ 08757-4825
 lm +Central Loan Administration, 45 Phillips Ave, Ewing, NJ 08638
 517104726 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., dba GM Financial,
 P O Box 183853, Arlington, TX 76096)
 517060652 Acs/Pnc Bank, ACS/Education Services, PO Box 7051, Utica, NY 13504-7051
 517156920 +AmeriCredit Financial Services, Inc., dba GM Finan, P O Box 183853,
 Arlington, TX 76096-3853
 517060653 Aurora Financial Gr In, 900 Route 73 N, Marlton, NJ 08053-1230
 517060663 #Eastern Account System, 75 Glen Rd Ste 310, Sandy Hook, CT 06482-1175
 517060664 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit, National Bankruptcy Service Center,
 PO Box 62180, Colorado Springs, CO 80962-2180)
 517060665 +Frđ Motor Cr, PO Box BOX542000, Omaha, NE 68154-8000
 517060667 Higher Education Student Assistance Auth, PO Box 548, Trenton, NJ 08625-0548
 517060668 KML Law Group, PC, 216 Haddon Ave Ste 406, Westmont, NJ 08108-2812
 517274601 +New Jersey Housing and Mortgage Finance Agency, c/o Cenlar FSB, 425 Phillips Blvd,
 Ewing, NJ 08618-1430
 517486363 +Ocean Board of Social Services, 1027 Hooper Avenue, Toms River, NJ 08753-8370
 517060673 State of Nj Highed Ed, PO Box 543, Trenton, NJ 08625-0543
 517060675 Target, C/O Financial & Retail Srvs Mailstopn BT, PO Box 9475,
 Minneapolis, MN 55440-9475
 517060676 +Thrift Investment Corp, 720 King George Rd, Fords, NJ 08863-1985
 517060677 Tnb - Target, PO Box 673, Minneapolis, MN 55440-0673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Oct 13 2018 00:15:14 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Oct 13 2018 00:15:10 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517060655 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 13 2018 00:21:08 Capital One,
 15000 Capital One Dr, Richmond, VA 23238-1119
 517060654 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 13 2018 00:21:08 Capital One,
 Attn: Bankruptcy, PO Box 30253, Salt Lake City, UT 84130-0253
 517060656 E-mail/Text: kzoeplfel@credit-control.com Oct 13 2018 00:15:16 Central Loan Admin & R,
 425 Phillips Blvd, Ewing, NJ 08618-1430
 517060657 E-mail/Text: ned-collections_bankruptcydocuments@comcast.com Oct 13 2018 00:15:53 Comcast,
 PO Box 840, Newark, NJ 07101-0840
 517060658 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 13 2018 00:14:59 Comenity Bank/Express,
 Attn: Bankruptcy, PO Box 182125, Columbus, OH 43218-2125
 517060659 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 13 2018 00:14:59 Comenity Bank/Express,
 PO Box 182789, Columbus, OH 43218-2789
 517060661 E-mail/PDF: creditonebknofications@resurgent.com Oct 13 2018 00:20:20 Credit One Bank NA,
 PO Box 98873, Las Vegas, NV 89193-8873
 517060660 E-mail/PDF: creditonebknofications@resurgent.com Oct 13 2018 00:19:31 Credit One Bank NA,
 PO Box 98875, Las Vegas, NV 89193-8875
 517060666 E-mail/Text: rob@ftafinancial.com Oct 13 2018 00:16:24 FTA Financial, LLC,
 220 US Highway 46 Ste 301, Little Ferry, NJ 07643-1416
 517060669 E-mail/Text: bnckohlsnotices@becket-lee.com Oct 13 2018 00:14:24 Kohls/Capital One,
 Kohls Credit, PO Box 3043, Milwaukee, WI 53201-3043
 517060670 +E-mail/Text: bnckohlsnotices@becket-lee.com Oct 13 2018 00:14:25 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 517262534 E-mail/PDF: resurgentbknofications@resurgent.com Oct 13 2018 00:19:41
 LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517060671 E-mail/PDF: resurgentbknofications@resurgent.com Oct 13 2018 00:19:44 Lvnv Funding LLC,
 PO Box 10497, Greenville, SC 29603-0497
 517060672 E-mail/Text: bk@afsacceptance.com Oct 13 2018 00:15:28 Prefrd Auto, 1260 Centre Tpke,
 Orwigsburg, PA 17961-8956

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517060662* +Credit One Bank, NA, PO Box 98873, Las Vegas, NV 89193-8873
 517060674 ##+Stellar Recovery Inc, 4500 Salisbury Rd Ste 10, Jacksonville, FL 32216-8035

TOTALS: 0, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 33

Date Rcvd: Oct 12, 2018

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 10, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Daniel E. Straffi on behalf of Debtor Alicia R Green bktrustee@straffilaw.com,
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
Denise E. Carlon on behalf of Creditor New Jersey Housing And Mortgage Finance Agency
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5